

Appln. No.: 09/820,401  
Amendment Dated February 24, 2005  
Reply to Office Action of November 24, 2004

MATP-601US

**Remarks/Arguments:**

Claims 1-20 are pending in the above-identified application. Claims 1-5, 11-14, and 16-20 are presently rejected. Claims 7-10 are allowed and claims 6 and 15 are objected to, but have been identified as including allowable subject matter. The applicant appreciates the Examiner's recognition of allowable subject matter.

Section 4 of the Office Action recites that the "draftperson's objection listed on PTO 948 has been maintained as the informalities regarding character of lines, numbers, and letters in the drawings have not been addressed." The Office Action summary, however, indicates that the drawings filed on March 29, 2001 were accepted. Further, we submitted formal drawings on January 18, 2002. As indicated by the enclosed image file wrapper, these formal drawings were received February 12, 2002 and were stamped RECEIVED by Technology Center 2600 on February 20, 2002 (see enclosed formal drawings submittal dated January 18, 2002). We believe that these formal drawings remedy all informalities. Accordingly, Applicant requests that the draftsperson's objection be withdrawn.

Claims 1, 2, 4, 16, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Publication No. 2001/0025241 to Lange et al. (herein Lange) in view of the article "Suppression of Acoustic Noise in Speech Using Spectral Subtraction" by Boll (herein Boll) and further in view of the article "Text, Speech, and Vision for Video Segmentation: The Informedia™ Project" by Hauptmann et al. (herein Hauptmann). The Applicant respectfully traverses this rejection for the reasons set forth below.

Lange disclosed a method and system for providing automated captioning for audio/video (AV) signals. In Lange text information corresponding to a speech portion of audio signals of an AV signal is displayed as a closed caption on a video display device. Lange does not disclose or suggest processing television signals or determining if the television signals include closed caption information and then using the closed caption information if the television signals include closed caption information or converting the speech signals to text if the television signals do not include closed caption information.

Boll discloses suppressing acoustic noise in speech using a spectral subtraction method. Boll does not disclose or suggest determining if television signals include closed

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caption information and then using the closed caption information if the television signals include closed caption information or converting the speech signals to text if the television signals do not include closed caption information.

Hauptmann discloses a system that enables full content searching and retrieval in a digital video library. In Hauptmann, the audio portion of a video source such as a video tape is fed through a speech analysis routine to produce a transcript of spoken text. If a closed caption transcript is already available, the closed caption transcript is used instead of the transcript of the spoken text. The transcript of spoken text or the closed caption transcript becomes searchable text for use in retrieving content from a digital video library. Hauptmann, however, does not disclose or suggest displaying the text as a closed caption on a video display device.

In rejecting claim 1, the Examiner relies on Lange and Boll to teach decoding an audio signal to generate closed caption text for display on a display device, and filtering the audio signals to extract the speech portion, respectively. The Examiner then relies on Hauptmann to teach determining the presence of closed caption data and, if no closed caption data is present, performing speech recognition in order to obtain closed caption data. The Examiner states that Lange, Boll, and Hauptmann are analogous art because "they are from a similar field of endeavor in speech processing for recognition" and that "it would have been obvious to one of ordinary skill in the art... to modify the teachings of Lange in view of Boll with [a] method for caption detection and speech recognition usage only if a closed caption signal is not present as taught by Hauptmann for the benefit of providing a more accurate television program transcription by only performing speech recognition if necessary since closed caption data is less prone to error," citing page 5, section 4, paragraph 2 of Hauptmann.

To combine reference teachings there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See MPEP § 2143.01. Lange generates closed caption text from the speech portion of videos for display on a video display device and Hauptmann generates text transcripts of stored television signals using speech recognition or, where the signal includes closed caption information, from the closed caption data. Based on only these references, there would be no motivation to generate the invention as set forth in claim 1 because Hauptmann does not display closed caption data and Lange does not process any signals having closed

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caption data. Accordingly, there is not motivation in either reference to combine these references as suggested by the Examiner. In fact, the only suggestion to combine Hauptmann with Lange and Boll in the way that the Examiner has indicated comes from the subject patent application. It is well established that an inventor's own application can not be used against him in this manner. Therefore, Applicant contends that the rejection of claim 1 is improper and requests that the rejection of claim 1 be withdrawn.

Claims 2 and 4, include all the features of claim 1 from which they depend and claims 17 and 19 include all the features of claim 16 from which they depend. Therefore, claims 2, 4, 17, and 19 are also not subject to rejection under 35 U.S.C. § 103(a) in view of Lange, Boll, and Hauptmann.

Claims 3 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lange in view of Boll and Hauptmann and in further view of Ortega et al. (herein Ortega). Claims 3 and 18 include all the features of claim 1 and claim 16, respectively, from which they depend. The addition of Ortega does not address the shortcomings of Lange, Boll, and Hauptmann described above with reference to claims 1 and 16. Accordingly, Applicant contends that claims 3 and 18 are allowable over the art of record and requests that the rejection of these claims be withdrawn.

Claims 5, 11, 12, 14 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lange in view of Boll and Hauptmann and in further view of U.S. Patent No. 6,415,256 to Ditzik (herein Ditzik).

Claim 11, while not identical to claims 1 and 16, includes features which are similar. In addition, the addition of the Ditzik reference does not address the shortcomings of Lange, Boll, and Hauptmann as discussed above with reference to claims 1 and 16. Accordingly, Applicant contends that claim 11 is allowable over the cited references and requests that the rejection of this claim be withdrawn.

Claims 5, 12, 14, and 20 include all of the features of the independent claims from which they depend (either claim 1, claim 11, or claim 16). Therefore, Applicant contends that claims 5, 12, 14, and 20 are also allowable over the cited references and requests that the rejection of these claims be withdrawn.

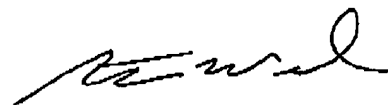
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Applicant appreciates the indication in the Office Action that claims 6 and 15, which stand objected to, would be allowable if amended to be independent and to include all the limitations of their base claims and any intervening claims. Because, as described above, claims 1, 5, 11, and 14 are in condition for allowance, no amendment to claims 6 and 15 is needed.

In view of the forgoing remarks, Applicant requests that the Examiner reconsider and withdraw the objections to claims 6 and 15 and the rejection of claims 1-5, 11-14, and 16-20.

Respectfully submitted,



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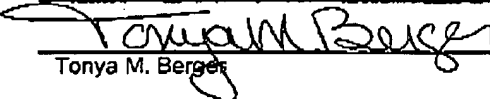
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February 24, 2005

  
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